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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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24131	7590	12/09/2004	EXAMINER	
LERNER AND GREENBERG, PA			ZHONG, CHAD	
P O BOX 2480			ART UNIT	PAPER NUMBER
HOLLYWOOD, FL 33022-2480			2152	

DATE MAILED: 12/09/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/784,765	HAUSMANN ET AL.	
	Examiner	Art Unit	
	Chad Zhong	2154	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

**A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM
 THE MAILING DATE OF THIS COMMUNICATION.**

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 17 November 2004.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-24 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>8/27/04</u> . | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____. |

DETAILED ACTION

1. This action is responsive to communications:

Amendment, filed on 11/17/2004.

Claims 1-24 are presented for examination. In amendment A, filed on 11/17/2004:

claims 1, 10, 20 are amended.

2. It is noted that although the present application does contain line numbers in specification and claims, the line numbers in the claims do not correspond to the preferred format. The preferred format is to number each line of every claim, with each claim beginning with line 1. For ease of reference by both the Examiner and Applicant all future correspondence should include the recommended line numbering.

3. The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). Correction of the following is required: Claim 10, adding supplementary information in a different language.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-2, 6-7, and 13 are rejected under 35 U.S.C. 102(e) as being unpatentable by Ono, US 6,219,831, in view of Aravamudan et al. (hereinafter Aravamudan), US 6,301,609.

6. As per claim 1, Ono teaches a method of transmitting a message having a given message format, which comprises:

prior to a start of a transmission of the message, setting up a connection between a device and a rule database having stored therein a set of conversion and processing rules (Col. 2, line 66 – Col. 3, line 9, wherein the device is the device itself and the conversion database exist as an external entity, whether a network connection exist between the said two components has no patentable weight, because functional equivalency is achieved through out this architecture);

starting a selection routine for defining an applicable conversion and processing rule set formed in the rule database from the set of conversion and processing rules for conversion of the message format (Col. 3, lines 10-21, wherein the database itself contains the conversion rules, the rules are formed within the database itself, and are retrieved by other devices);

forming a conversion control signal from the conversion and processing rule set (Col. 3, lines 18-21, lines 36-43; Col. 5, lines 12-15, lines 27-40);

buffer-storing the conversion and processing rule set or the control signal in the device (Col. 10, lines 10-14); and

converting the message format in accordance with the conversion and processing rule set in the device (Col. 10, lines 10-14; Col. 5, lines 27-40, wherein the actual conversion and processing are done on the device itself and the rule set are fetched from the database).

7. Ono does not explicitly teaches gateway device.
8. Aravamudan teaches the above sections see for example Col. 3, lines 53-67 for the advantage of centralized conversion location.
9. It would have been obvious to one of ordinary skill in this art at the time of invention was made to combine the teaching of Ono and Aravanmudan because they both dealing with message conversion systems. Furthermore, the teaching of Aravanmudan to centralized point of message conversion would

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improve the processing burden for Ono's system by allowing for a gateway to process the conversion information on behalf of the individual clients.

10. As per claim 2, Ono teaches the method according to claim 1, which comprises transmitting the message to a terminal in a data communications network (Col. 1, lines 33-36, wherein there is a communications link between the device itself and the database, this exist within a network of nodes whether they are remote or local, see Fig 7 for example).

11. As per claim 6, Ono teaches the method according to claim 2, which comprises performing the steps of setting up and starting the selection routing when a session is being set up in the data communications network (Col. 3, lines 10-21; Col. 5, lines 27-40, wherein the session is being setup between the device and database for data retrieval, specifically conversion rule retrieval, furthermore, there exist plurality of conversion methods. Conversion rule can exist in other components, such as item 2 and 9 on Fig 2).

12. As per claim 7, Ono teaches the method according to claim 1, wherein the rule database has stored therein sets of organized conversion and processing rules for linked execution of conversion and processing steps (Col. 5, lines 12-14, lines 27-40).

13. As per claim 13, Ono teaches the method according to claim 1, wherein the converting step comprises converting at least a part of the message between HTML format and WML format (Abstract, lines 19-21, wherein the languages being converted are not limited to language types).

14. Claims 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ono, US 6,219,831 in view of Aravamudan et al. (hereinafter Aravamudan), US 6,301,609 and further in view of Hirashima et al. (hereinafter Hirashima), US 6,715,128.

15. As per claim 3, Ono and Aravanmudan does not explicitly teach the method according to claim 2, which comprises transmitting the message to an IP network. Further, Ono suggested a distributed network environment on Col. 1, lines 34-37, thus rendering an IP network obvious in this case. Hirashima teaches transmission of the message to an IP network, see for example Col. 2, lines 1-5. It would have been obvious to one of ordinary skill in this art at the time of invention was made to combine the teaching of Ono, Aravamudan and Hirashima because they all dealing with database retrieval along with conversion process searching. Furthermore, the teaching of Hirashima to allow transmission of messages through an IP network would improve the standardization and compatibility for Ono and Aravanmudan's system by building message transfer system on top of IP stack, thus allowing standardization of communications protocol.

16. Claims 4-5, 11-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ono, US 6,219,831 in view of Aravamudan et al. (hereinafter Aravamudan), US 6,301,609, further in view of 'Official Notice'.

17. As per claim 4, Ono does not explicitly teach the method according to claim 1, which comprises transmitting the message from a data communications network to a telecommunications network. However 'Official Notice' is taken by the Examiner that inter network communication is notoriously well known and expected in the art. It would have been obvious to one of ordinary skill in the art to include an inter network communication between two different network mediums with Ono because doing so would provide an efficient transportation process between various mediums. Further, Ono suggested a distributed network environment on Col. 1, lines 34-37, thus rendering inter network communications between two or more devices obvious in this case.

18. As per claim 5, claim 5 is rejected for the same reasons as rejection to claims 3 and 4 above.

19. As per claim 11, Ono does not explicitly teach the method according to claim 2, wherein the converting step comprises converting an addressed IP address involved with the transmission process in the data communications network.

Further, Ono suggested language conversion between at least two network devices in a network environment on Col. 1, lines 34-37, IP is a protocol realized by programmable languages, thus conversion of languages renders the conversion of IP addresses obvious to one of ordinary skill in the art at the time of the invention.

20. Aravamudan teaches the above section, see for example, Col. 4, lines 5-25.

21. It would have been obvious to one of ordinary skill in this art at the time of invention was made to combine the teaching of Ono and Aravamudan because they both dealing with conversion of information within a device. For the same rational as stated in claims 1 and 2 above.

22. As per claim 12, claim 12 is rejected for the same reasons as rejection to claim 11 above.

23. Claims 8-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ono, US 6,219,831 in view of, Aravamudan et al. (hereinafter Aravamudan), US 6,301,609, further in view of Loeb et al. (hereinafter Loeb), US 2004/0078273, in further view Merritt et al. (hereinafter Merritt), US 6,421,429.

24. As per claim 8, Ono teaches the method according to claim 1, which comprises processing the selection routine with a selection data record including data selected from the group consisting of:
user data (Col. 3, lines 7-21);
an identification of one of a number of permissible carrier media or transmission paths to the terminal (Col. 3, lines 7-21); and

general selection criteria, and specific selection criteria predetermined by an operator of the gateway (Col. 3, lines 7-21).

25. Ono does not teach:

a data communications network or telecommunications network address of the terminal;
an identification of a dialing-in point or a geographical dialing-in location into the data communications network, or of the location of a terminal in the telecommunications network;
a data communications network address of the message source;
real-time data;

26. Loeb teaches:

a data communications network or telecommunications network address of the terminal (pg 4, [0054], [0059]);
an identification of a dialing-in point or a geographical dialing-in location into the data communications network, or of the location of a terminal in the telecommunications network (pg 4, [0054], [0059], [0061]-[0063]);
a data communications network address of the message source (pg 4, [0059]);

27. It would have been obvious to one of ordinary skill in this art at the time of invention was made to combine the teaching of Ono and Loeb because they both dealing with retrieval of information from databases. Furthermore, the teaching of Loeb to allow a data communications network or telecommunications network address of the terminal; an identification of a dialing-in point or a geographical dialing-in location into the data communications network, or of the location of a terminal in the telecommunications network; a data communications network address of the message source would improve the identification capabilities for Ono's system by explicitly differentiate the location of source of messages and their respective addresses.

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28. Ono and Loeb does not explicitly teaches real-time data. Real-time data is exemplified in the sample section of Col. 6, lines 1-17 of Merritt.

It would have been obvious to the ordinary skilled in the art at the time of the invention to have implemented real-time data with Ono, Loeb and Merrit because doing so would cut back on potential wasteful buffers within the network, by cutting back on buffer along the path, we are able to transfer data to the destination at optimal speed.

29. As per claim 9, Ono teaches the method according to claim 8, wherein the step of processing the selection routine comprises calling up an individual user profile based on at least one of the user data and the data communications network or telecommunications network address of the terminal (Col. 5, lines 28-40; Col. 3, lines 7-21).

30. Claims 14-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ono, US 6,219,831 in view of Aravamudan et al. (hereinafter Aravamudan), US 6,301,609, further in view of Loeb et al. (hereinafter Loeb), US 2004/0078273.

31. As per claim 10, Ono teaches the method according to claim 1, wherein the converting step comprises one of translating into a different language (Abstract, lines 19-21).

32. Ono does not teach adding supplementary information in a different language.

33. Loeb teaches adding supplementary information in a different language (pg 4, [0054], [0059], [0061]-[0063]).

34. As per claim 14, Ono does not teach the method according to claim 1, which comprises, in addition to converting the message format, adding supplementary information or reducing the message by predetermined parts.

35. Loeb teaches the method according to claim 1, which comprises, in addition to converting the message format, adding supplementary information or reducing the message by predetermined parts (pg 4, [0054], [0059], [0061]-[0063]).

36. It would have been obvious to one of ordinary skill in this art at the time of invention was made to combine the teaching of Ono and Loeb because they both dealing with retrieval of information from databases. Furthermore, the teaching of Loeb to allow adding supplementary information or reducing the message by predetermined parts would improve the functionalities for Ono's system by adding additional data or inhibit viewing of certain supplementary data.

37. As per claim 15, Ono does not teach the method according to claim 14, wherein the supplementary information and the predetermined parts of the message is advertising information.

38. Loeb teaches the method according to claim 14, wherein the supplementary information and the predetermined parts of the message is advertising information (pg 4, [0054], [0059], [0061]-[0063]).

39. It would have been obvious to one of ordinary skill in this art at the time of invention was made to combine the teaching of Ono and Loeb because they both dealing with retrieval of information from databases. Furthermore, the teaching of Loeb to allow wherein the supplementary information and the predetermined parts of the message is advertising information would improve the functionalities for Ono's system by adding additional advertising data towards the message thus generating additional revenue.

40. As per claim 16, Ono does not teach the method according to claim 15, wherein the supplementary information is included in a portal site produced on a user-related basis and presented before the transmission of the message, is overlaid as an advertising banner, are video picture sequences

or chat windows for on-line communication.

41. Loeb teaches the method according to claim 15, wherein the supplementary information is included in a portal site produced on a user-related basis and presented before the transmission of the message, is overlaid as an advertising banner, are video picture sequences or chat windows for on-line communication (pg 4, [0054], [0059], [0061]-[0063]).

42. It would have been obvious to one of ordinary skill in this art at the time of invention was made to combine the teaching of Ono and Loeb because they both dealing with retrieval of information from databases. Furthermore, the teaching of Loeb to allow wherein the supplementary information is included in a portal site produced on a user-related basis and presented before the transmission of the message, is overlaid as an advertising banner, are video picture sequences or chat windows for on-line communication would improve the functionalities for Ono's system by adding additional advertising data towards the message thus generating additional revenue.

43. As per claim 17, Ono and Loeb does not explicitly teach the method according to claim 14, wherein the supplementary information is selected from the group consisting of tariff information and info-push information. However 'Official Notice' is taken by the Examiner that an tariff information and info-push information is notoriously well known and expected in the art as a part of advertising information. It would have been obvious to one of ordinary skill in the art to include tariff and info-push information with Ono and Loeb because doing so would provide additional advertising capabilities. Further, advertising information covered in Loeb is inclusive of tariff and info-push information.

44. As per claim 18, Ono does not teach the method according to claim 14, wherein the step of reducing by predetermined parts comprises essentially completely inhibiting transmission of an entire message.

45. Loeb teaches the method according to claim 14, wherein the step of reducing by predetermined parts comprises essentially completely inhibiting transmission of an entire message (pg 5, [0064]-[0069]).

46. It would have been obvious to one of ordinary skill in this art at the time of invention was made to combine the teaching of Ono and Loeb because they both dealing with retrieval of information from databases. Furthermore, the teaching of Loeb to allow wherein the step of reducing by predetermined parts comprises essentially completely inhibiting transmission of an entire message would improve the functionalities and security capabilities for Ono's system by allowing certain parts of message or website to be displayed.

47. As per claim 19, Ono does not teach the method according to claim 14, wherein the step of reducing by predetermined parts comprises inhibiting a transmission of a complete IP network site.

48. Loeb teaches the method according to claim 14, wherein the step of reducing by predetermined parts comprises inhibiting a transmission of a complete IP network site (pg 5, [0064]-[0069]).

49. It would have been obvious to one of ordinary skill in this art at the time of invention was made to combine the teaching of Ono and Loeb because they both dealing with retrieval of information from databases. Furthermore, the teaching of Loeb to allow wherein the step of reducing by predetermined parts comprises inhibiting a transmission of a complete IP network site would improve the functionalities and security capabilities for Ono's system by allowing certain parts of message or website to be displayed.

50. As per claim 20, Ono teaches a gateway for converting a message format, comprising:
a first connection device for producing a connection to a rule database (Col. 3, lines 7-21);
a control device connected to said first connection device, said control device being programmed to

start and process a selection routine for defining an applicable conversion and processing rule set from a set of conversion and processing rules (Col. 3, lines 7-21, lines 36-43) being stored in the rule database, said defined applicable conversion and processing rule set for conversion of the message format; and

a conversion device connected to said control device for forming a conversion control signal from the conversion and processing rule set (Col. 5, lines 11-14, lines 27-40); and

a memory device connected to said conversion device for storing one of the conversion and processing rule set and the conversion control signal (Col. 10, lines 11-14).

51. Ono does not teach:

optionally for adding supplementary information and optionally for reducing the message by predetermined parts.

52. Loeb teaches:

optionally for adding supplementary information and optionally for reducing the message by predetermined parts (pg 4, [0054], [0059], [0061]-[0063]; pg 5, [0064]-[0069]).

53. It would have been obvious to one of ordinary skill in this art at the time of invention was made to combine the teaching of Ono and Loeb because they both dealing with retrieval of information from databases. Furthermore, the teaching of Loeb to allow optionally for adding supplementary information and optionally for reducing the message by predetermined parts would improve the functionalities and security capabilities for Ono's system by allowing certain parts of message or website to be added or displayed.

54. As per claim 21, Ono teaches the gateway according to claim 20, wherein said memory device is a first memory device and a second memory device is configured to store at least one selection data

record for processing the selection routine (Col. 10, lines 11-15; Col. 3, lines 7-21).

55. As per claim 22, Ono does not teach the gateway according to claim 20, wherein said connection device is a first connection device and including a second connection device for connection to a device selected from the group consisting of a supplementary information memory, a video signal source, and a terminal communication path.

56. Loeb teaches the gateway according to claim 20, wherein said connection device is a first connection device and including a second connection device for connection to a device selected from the group consisting of a supplementary information memory, a video signal source, and a terminal communication path (pg 4, [0054], [0059], [0061]-[0063]; pg 5, [0064]-[0069]).

57. It would have been obvious to one of ordinary skill in this art at the time of invention was made to combine the teaching of Ono and Loeb because they both dealing with retrieval of information from databases. Furthermore, the teaching of Loeb to allow wherein said connection device is a first connection device and including a second connection device for connection to a device selected from the group consisting of a supplementary information memory, a video signal source, and a terminal communication path would improve the functionalities and security capabilities for Ono's system by allowing certain parts of message or website to be added or displayed via another device.

58. As per claim 23, Ono teaches in combination with a data communications network and a telecommunications network, the gateway according to claim 20 adapted to convert a message prior to a transmission thereof between the data communications network and the telecommunications network (Col. 3, lines 7-21, lines 37-43). The combination of data communications network and telecommunications network section is rejected for the same reasons as rejection to claim 4 above.

59. As per claim 24, claim 24 is rejected for the same reasons as rejection to claims 23 and 2 above.

Conclusion

60. Applicant's remarks filed 11/17/04 have been considered but are found not persuasive.

61. In the remark, the Applicant argued in substance Ono does not teach any networking related terms.

In response to Applicant's arguments, Ono does teach the network architecture.

Referring to Fig 4 and 7, the network architecture exist between the device itself and the database.

Information is being retrieved from the database in said diagrams, wherein the conversion and processing itself is done on the device itself. As the Applicant argued in the remarks, conversion techniques is what differentiate the current invention from Ono, however the independent claims 1 and 20 do not reflect such arguments. The Examiner recommend future amendment(s) geared towards the conversion differences between references used rather than network terminologies.

62. In the remark, the Applicant argued in substance Ono does not teach "in the gateway".

In response to Applicant's argument, Ono does not explicitly teach conversion within the gateway, however, Aravamudan teaches this limitation, please see claim 1 above for detailed analysis.

63. In the remark, the Applicant argued in substance that Loeb does not teach applicable conversion and processing rule set being "formed in the rule database" and converting the message "in the gateway". In response to Applicant's arguments, the Examiner agrees with the Applicant, however, above limitation is taught at least by Ono in the sample sections above, Loeb's purpose is to address issues such as the network address and location identification that are unclear in Ono. As mentioned within the office action above, the two references are used in combination due to the fact Loeb also retrieves information from the database, and performs conversion.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The following patents and publications are cited to further show the state of the art with respect to "Method of transmitting a message and gateway".

- i. US 6715128 Hirashima et al.
- ii. WO 99/22317 Redmond.
- iii. EU 0583117A2 Ono.
- iv. US 6230132 Class et al.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chad Zhong whose telephone number is (703) 305-0718. The examiner can normally be reached on M-F 7am-4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John A Follansbee can be reached on 703-305-8498. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746-7239 for regular communications and 703-746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

CZ
November 23, 2004



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